

# HOUSE BILL 992

L2

11r1717

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By: **Calvert County Delegation**

Introduced and read first time: February 11, 2011

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2011

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Calvert County – Regulation of Roads**

3 FOR the purpose of authorizing the County Commissioners of Calvert County, by  
4 ordinance, to regulate the grading, constructing, improving, maintaining, and  
5 repairing of certain roads; authorizing the County Commissioners to ~~regulate~~  
6 ~~the construction and maintenance activities of private and public utilities in~~  
7 establish standards for utility cuts in and across county rights-of-way;  
8 authorizing the County Commissioners to regulate access to county-owned  
9 roads; authorizing the County Commissioners to establish certain minimum  
10 standards for new roads; authorizing the County Commissioners to regulate the  
11 engineering and constructing and acceptance into the county roads system of  
12 certain new public roads, bridges, sidewalks, curbs, gutters, and storm drainage  
13 facilities; authorizing the County Commissioners to establish certain fees and  
14 provide for certain civil penalties; providing for the enforcement of an ordinance  
15 enacted under this Act in the same manner and to the same extent as certain  
16 municipal infractions; authorizing the County Commissioners to seek other  
17 remedies provided by law; providing for the application of this Act; and  
18 generally relating to the authority of the County Commissioners of Calvert  
19 County to regulate roads in the county.

20 BY adding to

21 Article 25 – County Commissioners

22 Section 11

23 Annotated Code of Maryland

24 (2005 Replacement Volume and 2010 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 Article 25 – County Commissioners

4 11.

5 (A) THIS SECTION DOES NOT APPLY TO A PRIVATELY OWNED ROAD IN  
6 CALVERT COUNTY THAT HAS BEEN CONSTRUCTED ON OR BEFORE SEPTEMBER  
7 30, 2011.

8 (B) BY ORDINANCE, THE COUNTY COMMISSIONERS OF CALVERT  
9 COUNTY MAY:

10 (1) REGULATE THE GRADING, CONSTRUCTING, IMPROVING,  
11 MAINTAINING, AND REPAIRING OF COUNTY ROADS AND NEW ROADS INTENDED  
12 FOR FUTURE PUBLIC USE, INCLUDING ROADS PROPOSED FOR ANY SUBDIVISION  
13 APPROVED BY THE CALVERT COUNTY PLANNING COMMISSION, WHETHER  
14 RECORDED OR PROPOSED, INCLUDING SIDEWALKS, CURBS, GUTTERS,  
15 DRIVEWAY ENTRANCES, STORM DRAINAGE FACILITIES, AND APPURTENANCES  
16 TO BE LOCATED IN THE SUBDIVISION;

17 (2) ~~REGULATE THE CONSTRUCTION AND MAINTENANCE~~  
18 ~~ACTIVITIES OF PRIVATE AND PUBLIC UTILITIES IN~~ ESTABLISH STANDARDS FOR  
19 UTILITY CUTS IN AND ACROSS COUNTY RIGHTS-OF-WAY;

20 (3) REGULATE ACCESS TO COUNTY-OWNED ROADS;

21 (4) ESTABLISH MINIMUM STANDARDS TO WHICH A NEW ROAD IN A  
22 SUBDIVISION IN CALVERT COUNTY MUST BE CONSTRUCTED BEFORE THE  
23 ISSUANCE OF A BUILDING PERMIT THAT PERTAINS TO A LOT SERVED BY THE  
24 ROAD;

25 (5) REGULATE THE ENGINEERING AND CONSTRUCTING OF ANY  
26 NEW PUBLIC ROAD, BRIDGE, SIDEWALK, CURB, GUTTER, AND STORM DRAINAGE  
27 FACILITY PROPOSED FOR ACCEPTANCE INTO THE COUNTY ROADS SYSTEM;

28 (6) REGULATE THE ACCEPTANCE OF ANY NEW PUBLIC ROAD,  
29 BRIDGE, SIDEWALK, CURB, GUTTER, AND STORM DRAINAGE FACILITY INTO THE  
30 COUNTY ROADS SYSTEM;

31 (7) ESTABLISH FEES TO DEFRAY THE COST OF REVIEWING PLANS  
32 AND PERFORMING INSPECTIONS FOR THE CONSTRUCTION OF ROADS AND FOR

1 UTILITY CUTS IN ACCORDANCE WITH AN ORDINANCE ENACTED UNDER THIS  
2 SECTION; AND

3 (8) PROVIDE FOR A CIVIL PENALTY FOR VIOLATION OF AN  
4 ORDINANCE ENACTED UNDER THIS SECTION.

5 (C) A VIOLATION OF AN ORDINANCE ENACTED UNDER THIS SECTION  
6 SHALL BE ENFORCED IN THE SAME MANNER AND TO THE SAME EXTENT AS  
7 PROVIDED FOR MUNICIPAL INFRACTIONS UNDER ARTICLE 23A, § 3(B) OF THE  
8 CODE.

9 (D) IN ADDITION TO ANY REMEDIES PROVIDED FOR UNDER AN  
10 ORDINANCE ENACTED UNDER THIS SECTION, THE COUNTY COMMISSIONERS OF  
11 CALVERT COUNTY MAY SEEK OTHER REMEDIES PROVIDED BY LAW.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2011.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.